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FLUSS RANCH CONSERVATION EASEMENT



- ENVIRONMENTAL ASSESSMENT
- MANAGEMENT PLAN
- SOCIO-ECONOMIC ASSESSMENT



SEPTEMBER 2000

 *Montana Fish,
Wildlife & Parks*
STATE DOCUMENTS COLLECTION

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Montana Fish, Wildlife & Parks

P.O. Box 1630
Miles City, MT 59301
September 18, 2000

TO WHOM IT MAY CONCERN:

Montana Fish, Wildlife and Parks (MFWP) is proposing to purchase a conservation easement from Fluss Ranch Incorporated. The property is located 12 miles south of Terry, MT along the Powder River. The property has 9 miles of Powder River frontage and consists of 13,851 acres. All acreage is located in Prairie County and is accessed by 10 Mile Road south of Terry.

The easement is being proposed to conserve the riparian, sagebrush grasslands and plains forest habitats and to protect in perpetuity grazing management, agricultural operations, and public hunting opportunity. MFWP proposes to purchase the easement and implement the easement terms while maintaining the present private ownership and use of the ranch.

The easement terms are generalized in the enclosed Environmental Assessment (EA). A Management Plan and Socio-Economic report have also been provided for your review. The comment period will be open through October 24, 2000.

Please send any written comments to the following address:

Fluss Ranch Conservation Easement
C/O Montana Fish, Wildlife and Parks
P.O. Box 1630
Miles City, MT 59301

A public hearing on this proposed easement will be held at MFWP headquarters in Miles City, Montana on Thursday, October 12, 2000 at 7:00 p.m.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don Hyyppa". The signature is stylized with a large, looped "D" and a trailing flourish.

Don Hyyppa
Regional Supervisor

ENVIRONMENTAL ASSESSMENT

**DRAFT ENVIRONMENTAL ASSESSMENT
FLUSS RANCH CONSERVATION EASEMENT PROPOSAL
SEPTEMBER 1, 2000**

PART 1. DESCRIPTION OF PROPOSED ACTION

I. PROPOSED ACTION

Montana Fish, Wildlife and Parks (FWP) proposes to purchase a conservation easement on 13,851 acres of land owned by the Fluss Ranch Inc. The property is located 12 miles south of Terry along the Powder River (Figure 1). The property has 9 miles of Powder River frontage. All acreage is located in Prairie County and accessed by a county road south of Terry.

The property is within: T10N, R50E & R51E; T11N, R50E and R51E.

Three of the six statewide habitats identified in Habitat Montana; riparian, shrub grassland and plains forest constitute the property. From a statewide and eco-region perspective, riparian and shrub grassland habitats are two that are threatened and/or highly productive and in need of enhancement and protection. Easement terms would require FWP participation in development of the properties to enhance and conserve these habitats for wild and domestic animals.

The easement provides perpetual provisions to: protect native rangelands and riparian areas while allowing production of crops to benefit wildlife and livestock, no more than 50% of the existing irrigated fields may be planted to crops other than wheat, barley, oats, corn or alfalfa; cultivation can only occur on areas specifically designated in the easement document; and maintain the existing management system for public hunting. Additionally the landowners and Fish, Wildlife and Parks will develop rest-rotation grazing systems that will accommodate yearlong grazing by livestock.

The department is proposing to pay \$700,000 for the easement.

II. AUTHORITIES/DIRECTION

FWP has the authority under law (87-1-201) to protect, improve and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. In 1987, the Montana Legislature passed HB526 which earmarked specific FWP license revenues to secure wildlife habitat through lease, conservation easement or fee title acquisition (87-1-241 and 242).

FIGURE 1.

KELGION 7

Montana Fish, Wildlife & Parks

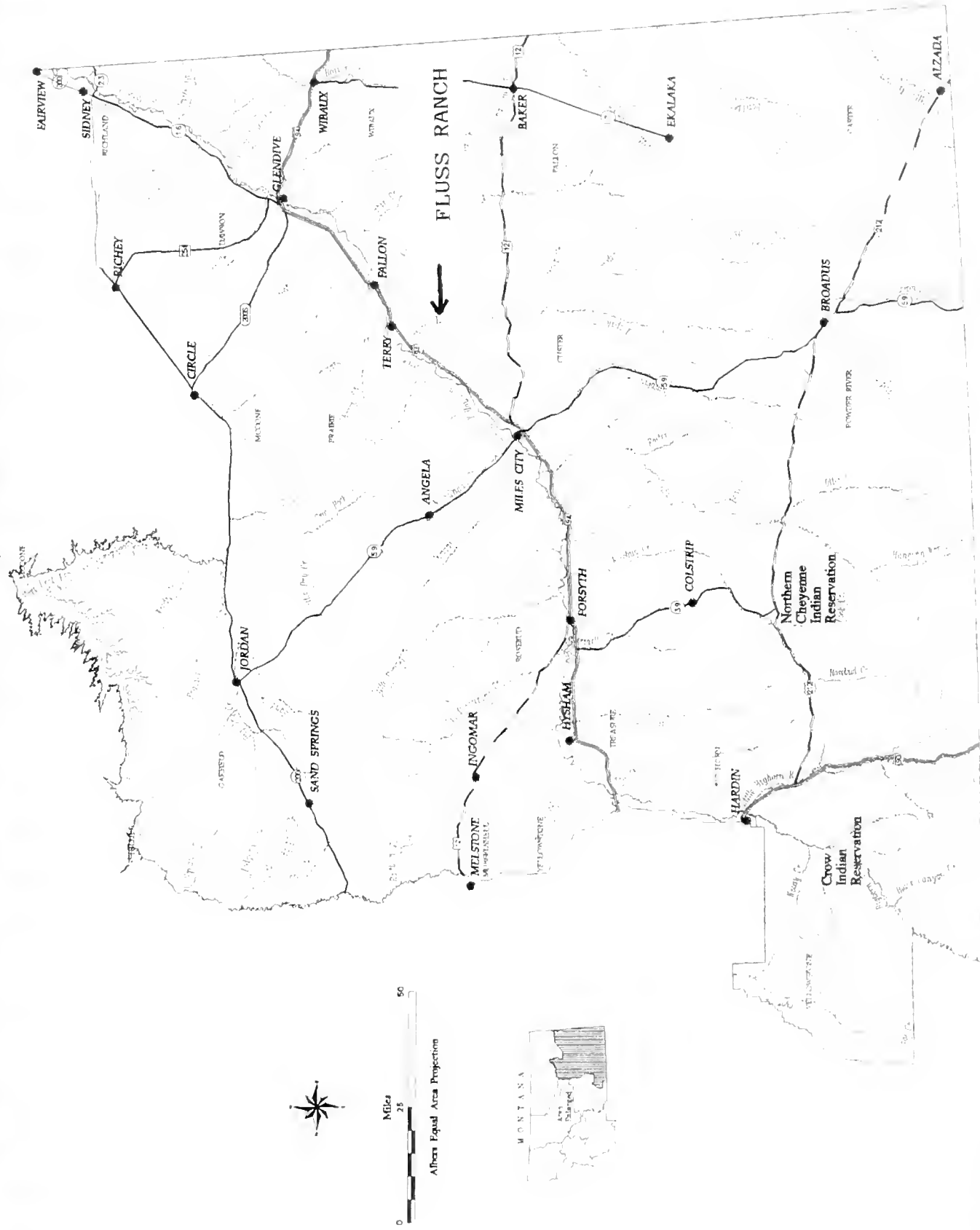
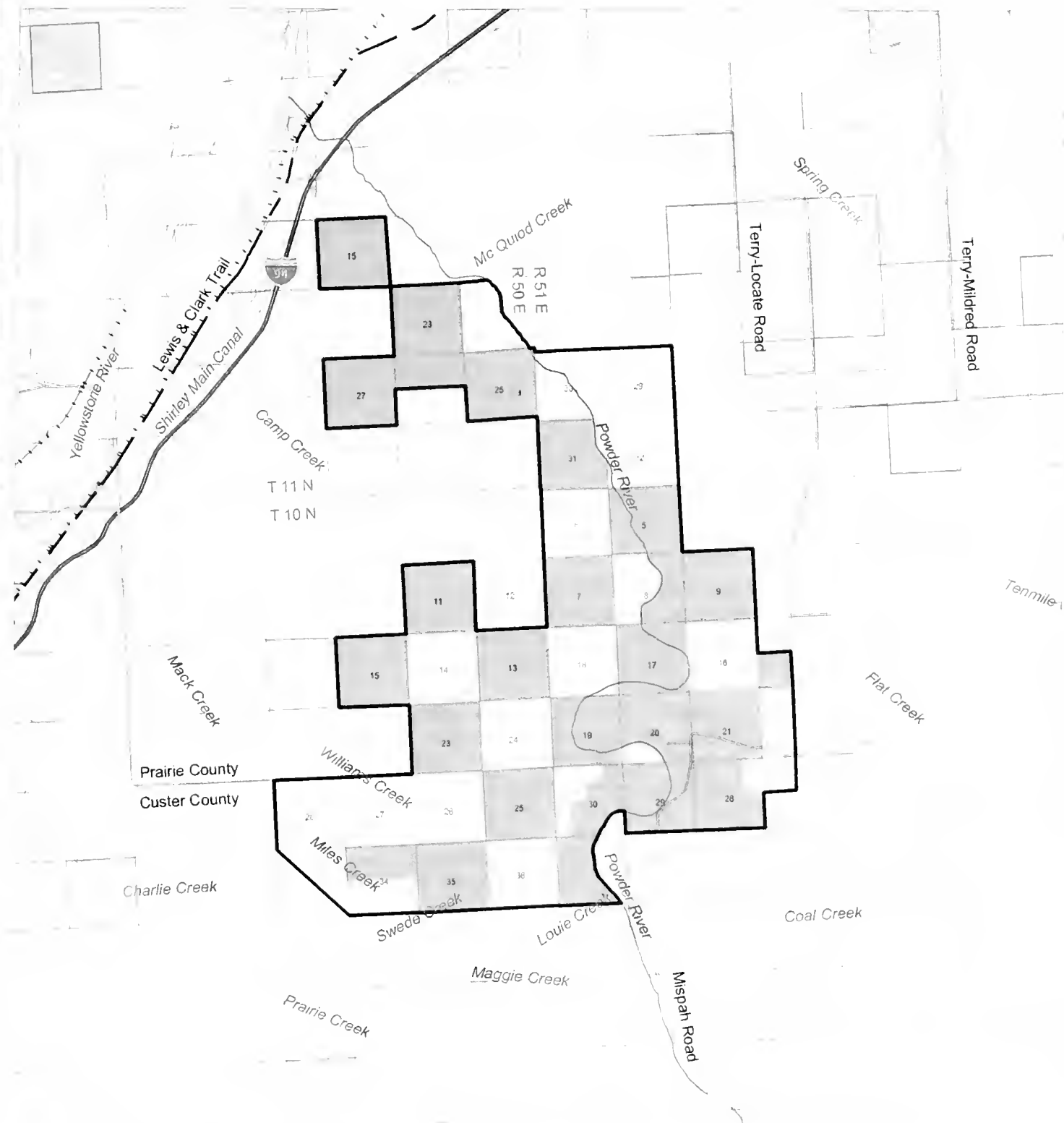


FIGURE 2.



1 0 1 2 3 Miles

Map produced by
 Martie Crone
 Land Section, Montana Fish, Wildlife & Parks
 Helena, Montana
 Fluss apr 5/22/00

Proposed boundaries are screen-digitized and are approximate
 Hydrography roads county lines public land survey system
 and public land ownership from the Natural Resource Information
 System Montana State Library, Helena, MT, digitized at
 1:100,000 State Plane 1983 Projection



- Fluss Ranch boundary
- Private parcels under conservation easement
- Other Land Ownership
 - Private
 - US - BLM
 - State of Montana

III. PURPOSES AND BENEFITS OF PROPOSED ACTION

The primary purpose of this easement is to: protect threatened habitats, particularly the riparian and sagebrush grassland habitats. A secondary purpose is to develop a partnership between the landowner and hunters to improve and maintain the productivity and quality of the land, water and vegetation to meet the needs of wild and domestic animals, the landowners and hunters. This land stewardship project is designed to improve conditions for livestock and wildlife production by developing and limiting the amount of land farmed and implementing rest-rotation grazing. Three of the six statewide habitats, the riparian, shrub grassland and plains forest will be benefited.

Easement terms will provide the additional benefits of: keeping in perpetuity lands for agricultural purposes; guaranteeing in perpetuity annual hunting opportunities; and providing access to nine miles of the Powder River.

Resident and migrating wildlife will benefit from the improved condition of the shrub grassland and riparian habitats comprising the ranch. Specifically, the pronghorn antelope, mule deer, whitetail deer and sage grouse winter ranges will improve; sharp-tailed grouse, sage grouse, and wild turkey nesting, brood-rearing and winter areas will improve; summer habitat for the aforementioned species, plus deer and many species of non-game birds, and mammals will be enhanced.

IV. DESCRIPTION AND ANALYSIS OF REASONABLE ALTERNATIVES

A. No Action Alternative

If this proposal is unsuccessful, FWP could lose a significant opportunity to use its limited resources to improve and conserve critical wildlife habitat and maintain recreational opportunity. The opportunity to secure public hunting opportunity, while keeping the land in private ownership would be lost. Likewise, the opportunity by willing landowners to use legislatively earmarked hunting license revenues to improve the land's productiveness would be lost. The opportunity to protect the land from other uses that impact the three wildlife habitats, i.e., sod-busting, sub-division and timbering would also be lost.

B. Proposed Alternative

FWP proposes to purchase a conservation easement on the Fluss Ranch. The primary provisions of the easement will include implementation of a combination of management actions to protect and enhance all habitat types. The condition and productivity of the sagebrush grassland and plains forest habitat types will be improved and protected. Rest rotation grazing and prohibitions of tree removal and sagebrush control will benefit livestock and wildlife. All three of the habitats will be improved by implementation of rest rotation grazing. The current level of livestock grazing (900 cow/calf pairs) will be maintained year round. The landowners and the department have agreed to share equally in the cost of implementing the rest-rotation grazing systems. The Powder River riparian area will be managed to maintain and improve, in perpetuity, the existing cottonwood/irrigated farmland complex. The amounts and kinds of irrigated crops produced will be grown to increase and maintain agricultural and wildlife benefits. The existing management system for public hunting will be maintained.

A minimum of 450 hunters will be accommodated each year, providing approximately 1,350 hunter days. The hunting management system will provide the flexibility to accommodate hunting and hunters under various environmental conditions. The easement will also prohibit commercial hunting, additional sod-busting, subdivisions, and other commercial uses such as game farms or landfills.

V. SUMMARY OF PROPOSED ACTION/BENEFITS AND PURPOSE

This project is part of a statewide habitat development and conservation plan administered by the Wildlife Division and overseen by the FWP Commission. The purpose of the Fluss Ranch conservation easement is to protect threatened habitat. The Fluss Ranch conservation easement is a partnership project designed to affect positive changes regarding land management and hunter use. The partnership is dynamic and individualized to meet the needs described. The overriding benefit of the action is that a public trust, wildlife, is being benefited by private landowners, whose agricultural operations in turn are being supplemented by those who pay to use wildlife.

A. Anticipated Outcomes

The project will contribute to statewide and regional land, water and wildlife conservation and benefit the people of the state of Montana and the local communities in a variety of ways including:

- * conserving land, water and wildlife on approximately 13,851 acres and provide incentives for habitat conservation on private land. Grazing, riparian and hunter management systems will be developed to benefit the land, water, wildlife, livestock, the livestock operators and hunters.
- * contribute to hunting opportunities and non-hunting recreation. The property would provide an estimated 1350 hunting recreation days annually based on results obtained from an existing block management activities. Non-hunting recreation days are difficult to estimate but are potentially substantial.
- * provide incentives for habitat conservation on private land while demonstrating that productive wildlife habitat is compatible and improved by other land uses including agriculture. Vegetation management will include developing livestock water resources; developing and protecting riparian areas; and improving the productivity of existing plant communities comprising the sagebrush grassland/plains forest habitats. Instituting these management practices will be mutually beneficial to the land, water, wildlife and livestock and maintain traditional ranching activities.
- * Protect open space and scenic values by enhancing and protecting riparian river habitat and preventing land subdivision into ranchettes, vacation home sites, and private hunting clubs
- Provide viable prairie dog colonies for observation particularly prairie dogs with young during summer.
- Preservation of the Ranch in one historic agricultural unit.

B. Habitat/Population Condition

Over 95% of the property is native range, the majority of which is presently in good condition, but will improve with the institution of management actions designed to protect and improve existing habitat condition. Improved range condition will result in wildlife population increases over time until a balance is reached as a result of the grazing, vegetation and hunter management systems. As a result of these established management systems the balance will be reached sooner as plant succession is speeded up and the physiological needs of the vegetative community are met and protected. A healthy vegetative community will result in increased sustainable yields of wildlife. This will be most significant when adverse environmental conditions occur.

The adjacent location and combination of riparian, shrub grassland and plains forest habitats on the properties make it highly productive wildlife habitat. Currently, the area supports healthy populations of mule deer, antelope, whitetail deer and prairie grouse.

Wildlife species occurring on the Fluss ranch include:

1. Primary game species: mule deer, antelope, sharptail grouse, turkey, and mourning doves.
2. Secondary game species: sage grouse, whitetail deer, waterfowl and Hungarian partridge.
3. Non-game species include: ferruginous hawk, red-tailed hawk, bald eagle, golden eagle, burrowing owl, great blue heron, vesper sparrow, field sparrow and Brewer's sparrow, upland sandpiper, woodpeckers, warblers and other passerines, black-tailed prairie dog and numerous small mammals, prairie rattlesnake, painted and snapping turtles.
Furbearers and predators; coyote, red fox, badger, raccoon, skunk, bobcat, beaver, muskrat and mink.

Species of concern associated with this area include: ferruginous hawk, red-tailed hawk, golden eagle, bald eagle, burrowing owl and upland sandpiper.

Several black-tailed prairie dog towns exist on the property. These towns serve as habitat for species such as burrowing owls.

Riparian/riverine habitats seasonally support bald eagle, osprey, heron, and waterfowl; especially wood ducks, mallards and Canada geese. The riparian habitat also serves as migratory and seasonal habitat for various species of passerines.

PART II. ENVIRONMENTAL REVIEW

I. EVALUATION OF THE IMPACTS OF THE PROPOSED ACTION ON THE PHYSICAL ENVIRONMENT

A. Land Resources

Impact of Proposed Action: No impacts to unique geological or physical features, but positive changes in decreased erosion and siltation and increased soil fertility and production. These positive impacts will result from the increased vegetation produced by protecting native plant growth, growing agricultural crops in selected areas to benefit and protect the land, and changing the practice of "continuous grazing" (same time, same place each year).

No Action Alternative: Should this project not be completed the lands potential may not be realized both from its agricultural and wildlife capabilities. The potential to make the land produce increased but sustainable crops of wild and domestic animals is attainable because of a shared vision between the landowner and FWP. Rejection of the project would mean continuation of a land stewardship ethic that supports status quo. The opportunity to guarantee protection of the land from the impacts of sod busting, timbering, commercial uses, and subdivision would also be lost.

B. Air Resources

Impact of Proposed Action: Human activities would be limited to dispersed recreational pursuits which would not impact air quality.

No Action Alternative: If FWP is not able to purchase the conservation easements, ranch activities would continue with no impact to air quality.

C. Water Resources

Impact of the Proposed Action: Significant positive impacts should be realized in surface and ground water as a result of better water distribution and improvements in soil condition and reduction of erosion by developing rest rotation grazing systems and protecting riparian areas. Limitations on size and location of feedlots may improve water quality.

No Action Alternative: Negative impacts could result to the existing water resources, including the Powder River, if livestock utilize the ranch under a traditional continuous grazing system.

D. Vegetation Resources

Impact of Proposed Action: No significant impacts will occur with respect to; adverse effects on plant species, reduction in agricultural land, establishment or spread of noxious weeds. Positive impacts will occur in the form of an improved vigor of the native plant community and increased diversity, productivity and abundance of plant species.

The proposed action will provide grazing management on these lands. This management will provide necessary rest for native plants that are traditionally grazed off during the growing season. This gives plants that livestock prefer an opportunity to go to seed and propagate. Without this system, plants would be continually grazed until death and new, less desirable plant species, including noxious weed, could invade. Improved water distribution will lessen the negative impacts presently occurring on shrubs such as buffaloberry, skunkbrush sumac, chokecherry, silver sage and snowberry. These shrubs are currently found in numerous mesic coulees intersecting this ranch. Negative impacts from livestock (trampling, rubbing) on these shrubs will decrease with improved water distribution and rest from grazing during the growing season.

Farming, like grazing, within the Powder River riparian area will be done to protect the riparian area while producing crops to benefit livestock and wildlife.

No Action Alternative: As stated under "water resources", if the Fluss Ranch is grazed under a continuous grazing system (same pastures, same time each year), adverse effects on desirable plant species abundance and distribution will occur. Less desirable tap-rooted plants and possibly noxious weeds will replace the desirable forage plants. Plants are not only destroyed by grazing, but by the action of significant numbers of livestock congregated in the same place year after year. Increased farming activities in the riparian areas could also sacrifice the existing native vegetation.

E. Fish/Wildlife Resources

Impact of Proposed Action: No significant impacts will occur with respect to: deterioration of wildlife habitat, introduction of a new species, wildlife migrations, adverse effects on wildlife species or increased conditions that stress wildlife. Positive impacts will occur in wildlife species abundance, productivity and diversity.

Development and protection of the riparian areas through controlled grazing and planting of crops beneficial to wildlife will enhance the habitat. Prohibition of tree removal and protection of existing native vegetation will also improve the habitat for wildlife.

Ground nesting non game and game bird species will realize significant benefits through the rest-rotation grazing system. Use by livestock under this system enhances the vegetation needed by wildlife for growth and maintenance. This system also maximizes residual cover in a portion of the system each year. Residual vegetation will provide improved nesting, brood rearing and winter cover. Increased residual cover, along with revitalized stands of chokecherry, sage brush, buffaloberry and snowberry resulting from grazing by livestock provide excellent wintering areas for mule deer, antelope and resident bird species.

The proposed action would not only enhance the habitat for wildlife but, will do so in perpetuity.

No Action Alternative: If FWP is unable to purchase the conservation easement the probability that vegetation will be managed with a concern for wildlife is less likely, even though, the Fluss's have a profound interest in wildlife. Grazing by livestock, unless practiced under a system that considers plant physiology and needs, will not enhance wildlife habitat to its fullest.

F. Summary

Significant impacts resulting from the action will be minimal or nonexistent. Except for limited and short duration disturbances resulting from fence construction and pipeline installation impacts on the physical environment will be positive.

II. EVALUATION OF THE IMPACTS OF THE PROPOSED ACTION ON THE HUMAN ENVIRONMENT

A. Noise/Electrical Effects

Impact of Proposed Action: No change from the current situation. The easement will be used to manage, protect and enhance the property to benefit a diversity of plants and animals.

No Action Alternative: No change from current situation.

B. Land Use

Impact of Proposed Action: No significant impacts will occur with respect to: changes in geologic substructure, destruction or modification of any physical features, or exposure of people to natural hazards. Minor negative impacts will occur in the form of soil disruption through installation of water pipelines and fences. The soil disruption will be minimal and the impacts nonexistent in 1-3 years.

Maintenance of existing farming practices and implementation of a grazing system will have significant positive impacts on soil stability and changes in siltation, disposition and erosion patterns. These positive impacts will result from the increased vegetation that will occur through the combination of farming and grazing.

There could be some limitations on public use during specified critical times of the year, but no more than currently experienced. Existing human uses of the properties under easement will increase.

No Action Alternative: The natural resource productivity and potential of the area could be diminished. If the Fluss's are limited to utilization as is the land's productiveness, both from an agricultural as well as a wildlife standpoint, would be limited. The opportunity to protect the land from sod busting, certain commercial uses, and subdivision would also be lost.

C. Risk/Health Hazards

No significant impacts will occur with respect to; risk of any potential human hazards and emergency response plans.

D. Community Impacts

Impacts of Proposed Action: No appreciable impact from the existing condition. During development on the property, regulated public use will be available. Continued levels of use by recreationists, particularly hunters, will occur. No significant impacts will occur with respect to: changes in the human population, community social structure, industrial activity or increased transportation problems. No known impacts will occur to adjacent private land resulting from the proposed action. The number and distribution of hunters will continue as practiced the past nine hunting seasons via a block management contract.

Some positive impacts will occur through income to local contractors. Funds will be spent on installing improvements necessary for implementation of the restoration grazing systems. Long-term productivity of this ranch will be increased through these systems and associated land improvements.

A thorough analysis of impacts to the community as a result of the proposed action is presented in the "Socio-Economic" section of this EA.

No Action Alternative: No change in existing conditions are expected if the easement is not purchased. The ranch will be operated as a cattle ranch under grazing and farming systems as now practiced. Income to local contractors and merchants from development of the grazing system and expenditures by additional hunters would not occur.

E. Aesthetics/Recreation

Impact of Proposed Action: In the long term, measurable change from existing conditions should occur. If the easement is acquired by FWP, the ranch will be developed to improve and protect (in perpetuity), the existing habitats for use by wild and domestic animals. Positive impacts will likely occur with respect to: changes in the aesthetic character of the area and changes in the quality and quantity of wildlife for recreational use. Additionally, the overall aesthetic value of improvements in the quality of soils and vegetation will be apparent. Some restricted recreational use could occur during critical periods to protect the livestock operation. Management of the ranch as articulated in the "Deed of Conservation Easement" will provide for public use while protecting the landowner's rights.

No Action Alternative: There could be significant impacts to both aesthetic and recreation opportunities if the proposed land stewardship project does not become reality. The scenic vista of three habitats (riparian, shrub grassland and plains forest) could be impacted. Hunting opportunity could be reduced or curtailed completely.

F. Cultural/Historical Resources

Impact of Proposed Action: No significant impacts will occur with respect to: alteration of any known cultural, religious, historic, prehistoric or paleontological sites or uses of these sites.

No Action Alternative: Potential damage to as yet unidentified cultural sites could occur if the ranch was developed.

III. SUMMARY EVALUATION OF SIGNIFICANCE

Collectively, there could be significant impacts to the existing human and physical environment in the Powder River drainage if the proposed action is not completed. These impacts include:

- A. The lost opportunity of protecting threatened habitats, particularly the sagebrush grasslands and riparian areas.
- B. The lost opportunity to enhance sizeable private landholdings to mutually benefit the landowners and the recreational opportunity that they provide to hunters. The loss of opportunity to clearly demonstrate that, not only are livestock and wildlife compatible, but that livestock grazing and farming can and should be beneficial to wildlife.
- C. Productive well-managed habitats under private ownership that provide public access to hunters is a realistic objective to maintaining Montana's wildlife and hunting heritage.

IV. COORDINATION AND CONSULTATION

Don Hyyppa	DFWP	Regional Supervisor
Deborah Dills	DFWP	Land Agent
Don Childress	DFWP	Administrator Wildlife Division
Martha Williams	DFWP	Legal Counsel
Steve Knapp	DFWP	Habitat Bureau Chief
John Ensign	DFWP	Regional Wildlife Manager
Howard Burt	DFWP	Wildlife Biologist

MANAGEMENT PLAN

MANAGEMENT PLAN FLUSS RANCH CONSERVATION EASEMENT

I INTRODUCTION

The people of the State of Montana recognize that certain native plant communities and wildlife habitat are worthy of perpetual conservation and have directed the Department (FWP) to acquire interests in such areas by voluntary cooperative means.

The primary purpose of the Fluss Ranch easement is to: protect threatened habitats. A secondary purpose is to develop a partnership between the landowners and hunters to improve and maintain the productivity and quality of the land, water and vegetation to meet the needs of wild and domestic animals, the landowners and hunters. This land stewardship project will be designed to improve the lands productive capabilities for agriculture and wildlife by: developing the amount of land farmed while producing crops beneficial for wildlife and livestock and implementing rest-rotation grazing. Three of the six statewide habitats, the riparian, shrub grassland and plains forest will be benefitted.

Easement terms will provide the additional benefits of: keeping in perpetuity lands for agricultural purposes; guaranteeing in perpetuity annual hunting opportunities; and providing access to nine miles of the Powder River.

For specific site information on the Fluss Ranch, refer to the "Deed of Conservation Easement".

This management plan will have input and concurrence from BLM and DNRC.

II. DESCRIPTION OF THE AREA

The Fluss Ranch is located about 12 miles south of Terry in the Powder River drainage. The Ranch encompasses approximately 22 sections of deeded land, 9 sections of Bureau of Land Management, and 2 sections of State of Montana School Trust land. The ranch runs along the Powder River in a north-south direction for approximately 10 miles taking in both banks of the river for most of that distance. The ranch extends up to five miles to the west of the Powder River. Topography of the area is variable and ranges from the riparian and sagebrush, grassland, hills to rough timbered breaks.

The property includes roughly 3 sections of riparian river bottom. This habitat is the most productive and diverse on the property. This particular riparian area consists of plains cottonwood and green ash forest with a willow, chokecherry, buffaloberry understory. Idle bottomland has typical flood plain vegetation. Five hundred plus acres of irrigated alfalfa hay meadows and grain fields cover a portion of the bottomland.

The property encompasses 23 sections of native shrub grassland. Dominant shrubs include silver sage in the bottoms and big sage in the uplands. Skunkbush is also a common shrub component. Typical native grasses include: western wheatgrass, little bluestem, needle and thread grass, bluebunch wheatgrass.

Seven sections of plains forest habitat exist on the property. This habitat consists of ponderosa pine and Rocky Mountain juniper groves interspersed with native grass parks. Skunkbush, sagebrush and creeping juniper are major understory components. Larger draws contain cottonwood and green ash stands.

The juxtaposition of riparian, shrub grassland and plains forest habitats on the property make it a highly productive wildlife area. Of particular significance to wildlife are the irrigated alfalfa hay meadows interspersed throughout the riparian habitat of the Powder River. The potential conservation benefits and enrichment of the overall quality of life for people of the state of Montana make this an ideal Habitat Montana project.

Within the project vicinity several other ranches also participate in FWP's Block Management program, and as such provide hunting opportunity. There is excellent future potential on these properties to develop conservation projects.

At present, antelope, mule deer and whitetail deer use the property yearlong, utilizing the shrubby vegetation and alfalfa fields during all seasons. Whitetail deer live yearlong primarily in the riparian/riverine habitat. Antelope are confined to the sagebrush grasslands, and alfalfa bottomlands. Mule deer occur over the entire ranch.

Several species of upland game birds occur year round on the property, including sage grouse, sharptail grouse, turkeys, pheasant, and grey partridge. Sharptails are abundant throughout the property. Pheasants and turkeys live yearlong in the riparian/riverine habitat. Sage grouse are closely tied

to the sagebrush grassland vegetation, but also use the alfalfa fields during summer. The riparian/riverine habitat seasonally supports a diversity of waterfowl species in varying densities. Mallards and Canada geese are common.

The ranch provides year round habitat for fur species including mink, weasels, beaver, badger, bobcat, and raccoon. Species including bald eagle, golden eagle, prairie falcon, ferruginous hawks, northern goshawk, kestrel, sharp shinned hawk, Coopers hawk, red-tailed hawk, rough legged hawk, osprey, great horned owl and burrowing owl use the area seasonally or year round. A myriad of song birds, small mammals, and reptiles and amphibians occur on the ranch because of the habitat diversity. Currently, fishing for channel catfish, and to a lesser extent, sauger and walleye is pursued.

The three major habitats with their various components provide a broad array of hunting opportunity. Hunting for mule deer, whitetail deer, prairie grouse, turkey, waterfowl, and doves is currently good.

The opportunity for nonconsumptive uses, particularly hiking and wildlife viewing is presently unlimited. Likewise, the opportunity to use the ranch for educational purposes by resource managers, livestock operators and the local school districts is boundless. These opportunities are not a part of the conservation easement and exist strictly at the landowners discretion.

III. GOAL

IMPROVE AND CONSERVE THE RIPARIAN, SHRUB GRASSLAND AND PLAINS FOREST HABITATS OF THE FLUSS RANCH FOR PERPETUAL USE BY WILDLIFE AND DOMESTIC LIVESTOCK, TO BENEFIT ALL USER GROUPS WITH EMPHASIS ON AGRICULTURALISTS AND HUNTERS.

OBJECTIVE I IRRIGATED FARMLAND MANAGEMENT

To maintain the acres of irrigated and dry land farm acreage adjacent to the Powder River. The significance of these lands on the Fluss Ranch as a source of food and cover for wildlife is unquestionable. Likewise the significance of these lands for agricultural purposes is unquestionable.

All irrigated fields will be subject to the limitation and restriction that no more than 50% of the land may be planted in crops other than wheat, barley, oats, corn or alfalfa.

The landowner will continue to allow existing levels of wildlife use, particularly by big game. Should levels of use by big game in fact become detrimental, as determined by both FWP and the landowner, the Department will take remedial action. FWP will provide all materials for stackyards to eliminate use of harvested hay by big game.

OBJECTIVE II GRAZING MANAGEMENT

To maintain at least the current year round level of livestock grazing (900 cow/calf pairs). This objective will be met through the establishment of year round rest-rotation grazing. This grazing system is based upon "Principles of Rest Rotation Grazing and Multiple Use Land Management." 1970, by A.L. Hormay, Range Management Specialist USDI-BLM.

Establishment of this system will increase the vigor and productivity of the riparian, shrub grassland, and plains forest habitats overtime. Levels of livestock grazing sustained by the vegetation provided through this system should also increase.

A. Grazing Procedure and Treatments

FWP will share equally in developing the rest-rotation grazing systems. Grazing treatments will be as follows:

1. Treatment "I" -early grazing-Spring to Seed ripe (approximately August 1)
2. Treatment "II" -late grazing -Seed ripe to November

3. Treatment "III" -winter grazing-November to Spring
4. Treatment "IV" -rest from livestock grazing for the entire year

Seed ripe time will be based upon the phenology of western wheatgrass (Agropyron smithii)

Constraints and Flexibility

- 1) The plan will be reviewed annually by FWP and the landowners (refer to "Management Plan", of the "Deed of Conservation and Access Easement"). Results of the annual review will be made available to BLM and DNRC.
- 2) Modifications to the specific grazing formula and pasture treatments, as a result of emergency circumstances such as fire, flood or earthquake, within a given year must have prior written approval by the Region 7 Wildlife Manager. Terms in the easement document regarding the grazing system take precedence over the Management Plan.
- 3) On all lands within the grazing systems administered by either the BLM or DNRC the following when appropriate will apply:
 - a) All livestock will be moved within 7 days of stated treatment dates. Livestock that have not freely moved will be moved, at which time all gates will be closed between pastures.
 - b) Trailing of livestock through pastures not scheduled for use at the time of trailing, will be completed within a 3 day period.
 - c) Salt, mineral, protein or other supplemental blocks or feeders and artificial rubs will require approval by BLM before placement on public land.
- 4) Changes in herd composition can be made from cow/calf to yearling or visa versa as long as the grazing plan is followed.

B. Evaluation and Monitoring

Vegetation

Vegetation response to rest-rotation grazing may be monitored by the use of vegetation transects, enclosures, and photo plots. The amount and types of monitoring is subject to the availability of funds and personnel.

Transects may be established in areas representative of the three major habitat types. These transects will be evaluated at five year intervals.

Exclosures may be constructed to evaluate vegetation. Transects will be established inside and outside the exclosures. These transects may also be evaluated at five year intervals.

General aspect photo plots will be established, in association with the transects to monitor gross changes in the vegetation community.

Livestock Use

Compliance will be monitored by pasture, annually.

OBJECTIVE III HUNTING MANAGEMENT

Allow a minimum throughout the hunting season of 450 hunters for 1350 hunters days.

Provide free regulated public access through the entire hunting season for big game and game birds to include: mule deer, whitetail deer, antelope, turkeys, sharptail grouse, sage grouse, gray partridge, pheasants, mourning doves, geese, and ducks. Hunters will be allowed to hunt animals of all age and sex classes as specified by annual hunting regulations. Hunter management will follow procedures developed for "Block Management". The plan will provide for the uniform distribution of hunters in time and place over the ranch to effect good game management practice. The plan will also provide needed flexibility to accommodate a change in the number of hunters, hunter days, and travel to alleviate game damage to native vegetation and crops.

OBJECTIVE IV FISHING AND NONCONSUMPTIVE USE MANAGEMENT

A significant outcome expected from the proposed project is the reduction of conflict between diverse user groups. The results of this planned system of management will identify user conflicts, develop strategies for solution and actuate those solutions on the ground. Consequently, the resources of the Fluss Ranch may be available at the landowner's discretion for uses other than hunting.

A. FISHING

Fishing opportunity for several warm water species such as sauger, and channel catfish exists. Fishing pressure is light. Permission to fish is required by the landowner.

B. Wildlife Viewing, Photography and Hiking

Since these nonconsumptive uses are currently infrequent to rare, regulation will be limited to:

1. Obtaining permission for access
2. Requiring motorized travel be restricted to roadways designated for hunter use.

C. Educational

The entire ranch may be used as an educational tool. All use will require landowner approval.

FLUSS RANCH
CONSERVATION EASEMENT
SOCIO-ECONOMIC ASSESSMENT

MONTANA FISH, WILDLIFE AND PARKS

Prepared by:
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I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature (MCA 87-1-241 and MCA 87-1-242), authorizes Montana Fish, Wildlife and Parks (MFWP) to acquire an interest in land for the purpose of protecting and improving wildlife habitat. These acquisitions can be through fee title, conservation easements, or leasing. In 1989, the Montana legislature passed House Bill 720 requiring that a socioeconomic assessment be completed when wildlife habitat is acquired using Habitat Montana monies. These assessments evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

This socioeconomic evaluation addresses the purchase of a conservation easement on property presently owned by the Fluss Ranch. The report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed conservation easement.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

The Fluss Ranch is located about 12 miles south of Terry, Mt. in Prairie County. This easement encompasses 13,851 with 9 miles of frontage along the Powder River. A detailed description of this property is included in the environmental assessment (EA)

B. Habitat and Wildlife Populations

This property has three of the six habitats identified in Habitat Montana: riparian, shrub grassland and plains forest. Pronghorn antelope, mule deer, whitetail deer use the property year round as do a host of other game and non-game animals. A complete list of species is available in the Environmental Assessment.

C. Current Use

This property is a working cattle ranch with some irrigated cropland. The owners have provided public hunting through the Block Management Program.

D. Management Alternatives

- 1) Purchase a conservation easement on the property by MFWP
- 2) No purchase

Alternative 1, the purchase of a conservation easement will provide long-term protection for the agricultural activities this land supports as well as allow for the protection and enhancement of the native habitats and wildlife this land sustains.

The second alternative, the no purchase option, does not guarantee the protection of these resources from future development.

MFWP Purchase of Conservation Easement

The intent of the Fluss Ranch conservation easement is to protect and enhance the wildlife habitat currently found on the property while maintaining the agricultural character of the property. In addition, this easement will provide public access to the property in perpetuity. The Deed of Conservation Easement specifies the terms of the agreement. The major points presented here may affect the socioeconomic environment. They are:

- 1) Restrict residential subdivision or commercial development.
- 2) No commercial use of land and resources except those allowed by the Easement.
- 3) No new buildings or construction except that allowed by the Easement.
- 4) Mineral exploration/extraction are prohibited except for gravel to be used on the property.
- 5) Timber removal prohibited except for firewood for landowners personal use.
- 6) Control or manipulation of sagebrush prohibited.
- 7) No cultivation or farming allowed except that provided by the Easement.
- 8) No renting or leasing access to the land for hunting.
- 9) No game farms

A complete list of the restrictions this easement has on the landowners and MFWP is provided in the Deed of Conservation Easement for the Fluss Ranch.

No Purchase Alternative

This alternative requires some assumptions since use and management of the property will vary depending on what the current owners decide to do with the property if MFWP does not purchase a conservation easement.

Subdivision or development of the land is a possibility. Public access has been allowed in the past but may not be depending on who purchases the property. Sod-busting and timber harvest could occur causing further loss of these important habitats. The economic impacts associated with this alternative have not been calculated.

III. SOCIAL AND ECONOMIC IMPACTS

Section II identified the management alternatives this report addresses. The purchase of a conservation easement will provide long term protection of important wildlife habitat, keep the land in private ownership and provide for public access for hunting. Section III quantifies the social and economic consequences of the two management alternatives following two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the conservation easement to MFWP and discuss the impacts on tax revenues to local government agencies including school districts.

Expenditure data associated with the use of the property provides information for analyzing the impacts these expenditures may have on local businesses (i.e. income and employment).

A. Financial Impacts

The financial impacts on MFWP are related to the purchase price of the conservation easement and maintenance/management costs. The Fluss Ranch conservation easement will cost MFWP \$700,000. Maintenance/management costs related to the easement are associated with monitoring the property to insure the easement terms are being followed. These costs are unknown at this time.

The financial impacts to local governments are the potential changes in tax revenues resulting from the purchase of the conservation easement. The Fluss Ranch easement will leave the land in private ownership and will not change the type or level of use on the property. There will be no significant changes in tax revenues to local governments including schools due to the easement. The terms of the easement do allow for an additional 465 acres of land to be cultivated and for 3 additional residences. If these changes occur the tax revenue from the Fluss property will increase.

B. Economic Impacts

The purchase of a conservation easement will not affect the agricultural activities on the Fluss Ranch. Consequently there will not be any significant financial impacts to local businesses associated with the ranching/farming activities in the long term.

The fencing and water development associated with the planned rest rotation grazing system will cost \$75,000 - \$100,000; providing positive financial impacts to local businesses supplying the materials as well as the labor market.

FINDINGS AND CONCLUSIONS

As noted at the beginning of this document, the Fluss Ranch is located in Prairie County south of Terry, MT.

The conservation easement will provide long term protection for wildlife habitat, maintain the agricultural integrity of the land, ensure public access for hunting, fishing and other recreational/educational opportunities, and keep the property in private ownership.

The purchase of a conservation easement by MFWP on this property will not cause a reduction in tax revenues from their current levels to Prairie County.

The agricultural/ranching operations will continue at their current levels. The financial impacts of the easement on local businesses will be neutral to positive in both the short and long run.

